

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN
COURT MINUTES

CHAPTER 7
DATE: November 15, 2011
JUDGE: Margaret Dee McGarity
CASE NO.: 11-29307-MDM
DEBTOR: Berronica Miller
NATURE OF HEARING: Deron Coleman's request for reconsideration of September 8, 2011, ruling for sanctions.
APPEARANCES: Amy Ginsberg, Trial Attorney for U.S. Trustee
Deron Coleman, Bankruptcy Petition Preparer
COURTROOM DEPUTY: Carolyn A. Belunas
TIME: 10:27 - 11:57 am

There was no appearance by Ms. Miller.

Testimony of Deron Coleman

Mr. Coleman is the petition preparer in this bankruptcy case and he currently resides at 5930 North 75th Street in Milwaukee, Wisconsin. He was also the principal of Credit University which was located at 5401 North 76th Street, Suite 101, in Milwaukee, Wisconsin. He broke that lease which was in the name of Credit University and he is unsure who is currently located at that address. He previously paid two office assistants, Janelle and Michelle, to help him prepare petitions. He did not recall their last names. He asserted he is just a typist and fills out the petition and schedules with information provided by his clients. He averages approximately \$90-105 for preparing petitions. He obtained a copy of a disk from a previous client which contains all of the current fill-in the blank bankruptcy petition and schedules, and perhaps a filer obtained a copy of that disk with his information still on it, and that is why he is not disclosed as a petition preparer. He testified he signed every petition when he provided services as a petition preparer. He said he would pick up the mail for Credit University at the Veterans Administrative building. He asserted the bankruptcy advertising flyer (Exhibit 1) was not for Credit University and he did not print or use this flyer, although it looks similar to his flyers. He said he used a 1-800 number in his business, but he does not recall what that number is. He does not remember advertising in the Red or Blue Book. He said obtained a lot of his information on how to prepare and file bankruptcy petitions and schedules from the Clerk's office help desk in Room 126 of this building. He alleged he does not know Gaynor Morrison.

Argument

Ms. Ginsberg requested the court permanently enjoin Mr. Coleman from acting as a bankruptcy petition preparer and to disgorge his fees to the debtor for violations under § 110.

Decision

The court ordered Deron Coleman, to refund to the debtor \$175, within thirty (30) days from the date of this order, for failure to provide adequate services and for failure to disclose his actions as a petition preparer without his signature or social security number. If the failure to disclose was because an employee gave out a disk with his identification in the SOFA, he negligently failed to supervise his employees.

The court ordered that Mr. Coleman is permanently enjoined from filing future bankruptcy cases as a petition preparer in the Eastern District of Wisconsin. Since Mr. Coleman appeared today, he is discharged of his responsibility under the order to show cause and no further sanctions will be issued.

Ms. Ginsberg will submit an order.